

From: Michael Myers
To: Microsoft ATR
Date: 1/28/02 4:53pm
Subject: Microsoft Settlement

I would like to take a moment to voice my objection to the proposed settlement in the Microsoft Anti-Trust case. I believe that the proposal is far too weak to have any meaningful effect on the marketplace.

In the past, Microsoft has demonstrated its willingness to do whatever it sees fit in spite of the law, and to use its billions to fend off any legal action until it is far too late to rectify the damage. I expect that if this settlement is accepted, it will be less than a year until Microsoft breaks the agreement in the pursuit of some competitor and creates another prolonged legal battle that will not be resolved until the competitor is long dead. And I expect that every last word in the agreement will be endlessly debated in court case after court case, as Microsoft forestalls any enforcement for years. Microsoft has shown little respect for the law to date (in terms of previous broken agreements, falsifying testimony related to IE and Windows, forging letters of support, etc). There is no reason to expect them to behave differently in the future.

Such outrages are funded by a public that has little choice but to pay Microsoft for its products. I am writing this letter on a Linux machine that I bought with Windows 98. Despite the fact that I do not use MS products, I find that I am forced to buy them whenever I buy hardware. So long as MS can "tax" us this way, they can afford unlimited legal bills. I feel that any settlement that does not split up the company or prevent it from using Windows to enter new markets is doomed to fail.

Finally, I find it absurd that the DOJ won the first case, and essentially "won" the appeal (in that all the findings were upheld and only the remedy was vacated), and then suddenly turned about and proposed the weakest remedy imaginable (filled with all the legal loopholes MS could dream of). This smells heavily of politics. It seems very much as if the new DOJ lead by Mr Ashcroft is not interested in enforcing antitrust law or achieving justice for consumers, but is instead catering to the worst elements of the Republican party. Hopefully, the court will not accept this.

Sincerely,

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